

AMENDED

ASSIGNED
No 41860

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 22 1980 NEW PRIORITY DATE: OCT 11 1993
JUN 21 1995

Returned to applicant for correction.....

Corrected application filed OCT 13 1980

Map filed OCT 13 1980

The applicant E. R. Fegert and Company

1285 South Broadway, of Othello,
Street and No. or P.O. Box No. City or Town

Washington 99344, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground
Name of stream, lake or other source.

2. The amount of water applied for is .89 (400 gpm.) second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for Milling, mining and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: within the NW 1/4 SE 1/4 Sec. 18,

T.12S., R.46E., M.D.B.&M. at a point from which the NW corner of said Sec. 18,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

bears N 48°53'35" W. a distance of 5,218.52 feet.
it should be stated.

6. Place of use within Secs. 17, 18, 19 and 20, T.12S., R.46E.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, pump, electric motor, storage facilities and distribution system.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works \$25,000.00
- 10. Estimated time required to construct works Two years
- 11. Estimated time required to complete the application to beneficial use Five years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This well, assigned Well A, will be utilized in connection with Well B.

The total combined duty from both wells will not exceed 200,000,000 gallons per year.

Applicant E. R. FEGERT AND COMPANY

By s/Ross E. de Lipkau
Ross E. de Lipkau
P. O. Box 2790
Reno, Nevada 89505

Compared ha/ kc bt/bc

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under this permit and Permit 42637 shall not exceed 200 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 0.89 cubic feet per second, but not to exceed 200 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before November 4, 1982

Proof of completion of work shall be filed before December 4, 1982

Application of water to beneficial use shall be made on or before November 4, 1985

Proof of the application of water to beneficial use shall be filed on or before December 4, 1985

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed AUG 20 1985
Proof of beneficial use filed
Cultural map filed

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of NOVEMBER

AP 19 81
[Signature]
State Engineer

Abrogated By: 64412-0-89

CANCELLED MAY 18 1995
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature]
STATE ENGINEER
11/19/95

CANCELLED AUG 18 1993
BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature]
STATE ENGINEER
11/19/95